

BOARD OF DESIGN REVIEW MINUTES

December 9, 1999

CALL TO ORDER: Chairman David Williams called the meeting order at 6:35 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman David Williams; Board Members Hal Beighley, Stuart Straus, Walter Lemon. Anissa Crane and Renee Cannon were excused.

Staff was represented by Associate Planner Colin Cooper and Recording Secretary Cheryl Gonzales.

PUBLIC HEARINGS

Chairman Williams read the format for the meeting. There were no disqualifications of Board members, and no one declared an ex parte conflict, and no one challenged the right of any Board member to hear any of the agenda items. There were no visitors.

NEW BUSINESS

A. BDR99-00078 - BANEY OXFORD SUITES HOTEL CONTINUANCE

(Request for continuance to December 16, 1999)

Request for a Board of Design Review (BDR) approval for a five story, 114-unit hotel and three-tier parking structure for Baney Corporation's proposed Oxford Suites Hotel. The proposed hotel would be sited on approximately .94 acre at the southwestern corner of SW Canyon Road near State Highway 217. The proposal includes an indoor swimming pool, sauna, meeting rooms, a pedestrian plaza and landscaping. Proposed access is a right-in at the existing Burger King driveway on SW Canyon Road and at the intersection of 115th Avenue and SW Canyon Road. The site is within the Town Center zone. The site is located at 11360 SW Canyon Road. Map 1S1-15AB; Tax Lots 500 & 501.

Mr. Colin Cooper, Associate Planner, stated there was a request to continue the Baney Oxford Suites Hotel application.

Mr. Beighley MOVED and Mr. Straus SECONDED a motion to continue BDR 99078, the Baney Oxford Suites Hotel, to December 16, 1999.

The question was called and the motion CARRIED unanimously.

Chairman Williams explained the limited land use decision.

B. BDR99-00172/VAR99-00022 - CRESCENT HILL APARTMENTS

Request for Design Review and Design Variance approval to construct the second phase of an apartment complex on SW Apple Way, near the intersection with SW Laurelwood Drive. The proposal includes 4 buildings containing a total of 42 units and parking areas consisting of surface parking, carports, and garages. Recreational and other common facilities will be shared with the already constructed Phase 1, located on the southern side of SW Apple Way. The variance approval is requested to reduce the front yard setback from 20' to 10'. The 10' setback would match the setback of Phase 1. The site is within the Commercial Service zone. The site is approximately 2.15 acres in size. Map 1S1-14AD; Tax Lots 2100 & 2200.

Mr. Colin Cooper, Associate Planner, presented the Staff Report for the request for 48 units in the community service zone. The zone is Community Service. The proposed use is allowed at a maximum density of R-1. This proposal is for Phase 2 of Apple Way; completed Phase 1 was very successful. The applicant is requesting a design variance to allow an encroachment into the required yard of 10 feet, which is identical to the south side of Apple Way where Phase 1 was also allowed a design variance. The right-of-way on Apple Way was built at a time when the streets were being built wide. The variance moves the buildings closer to the street thereby framing the street and providing a nice urban feel. Phase 1 has stoops and small deck areas on the front with direct connection to the street. The staff had reviewed this also with consideration to the fact that the southern side of Phase 2 includes a significant tree grove. However, there is no impact whatsoever into that grove, so the applicant was not required to prepare a tree preservation plan. Beaverton Creek runs on the northern side of this site and the applicant is well within the range of Unified Sewage Agency's allowed encroachments. He requested that the applicant describe this in more detail. They noted that the applicant is proposing to remove some grading seen on the grading plan for water quality retention ponds. The plans still show two water quality retention ponds. The ponds will be removed and the applicant will install a pipe retention system under the parking lots so the grading associated with the ponds will go away completely and only one small corner of the building will encroach into the wetlands buffer. The buildings are identical three-story structures similar to Phase 1 and they are using a variety of materials to break up the mass of the structures. Mr. Cooper recommended a new condition which was not included in the Staff Report to address the removal of the water quality ponds. There are a series of retaining walls that shore up some of the grade to build the ponds. Because the ponds will not be constructed, the retaining walls are not necessary. Staff felt that they could propose a condition that allows the applicant the flexibility to either grade back and catch the grade closer to the creek or to actually keep the retaining walls. Mr. Jim Duggan, Site Development Engineer, was comfortable with the wording, but noted that in some cases a retaining wall can be a little more attractive than a 2 to 1 slope. So, they suggested a limitation on any slope length and the amount of slope so they would not end up with a long run of 2 to 1 slope. Staff recommended approval of this project for the design review and the design variance. Staff had received no contact from adjoining neighbors.

Mr. Lemon noted that the design variance conclusion and recommendation says recommended approval of it subject to the following conditions but nothing followed. He asked if there were any conditions? Mr. Cooper said no.

Mr. Lemon asked about the retention ponds and the underground pipe system, and the retaining wall. Mr. Cooper pointed out that the garage on the western side shows a retaining wall detail, then a series of smaller retaining walls. Mr. Lemon wanted to verify which retaining walls they were talking about. Mr. Cooper clarified that they were suggesting a condition that would

provide the flexibility to either keep the retaining walls or to remove them and allow grading to native slope not to exceed a 2 to 1 slope for a run of more than 15 feet. The applicant wanted more flexibility, because there were more strict interpretation of the allowances for water quality retention ponds in the wetlands buffer area that came up fairly late in the review of the project, Title III was coming along, they were being asked to reanalyze a lot of the USA requirements. In this case it was sought to remove those retention ponds from the wetlands buffer. The reason the walls were there was to hold back the grade to create a pond and now they can just bring it out and catch the native grade. The condition was fairly safe because they would have site design review as well and they would certainly not allow any adverse grading that would affect the wetlands buffer.

Mr. Lemon commented on the parking lot in the north west, there was a 2 foot drop off going down, did they want to have a smooth grade for 15 feet? Mr. Cooper replied that staff did not want to exceed a 15 foot run. He did not want to see a severe slope there. He said that the applicant and architect would be able to address that more specifically.

Chairman Williams asked for any further questions for the staff, seeing none, he asked for the applicants to step forward.

APPLICANT

MALCOM MCIVER, with Commerce Investment stated he was representing the applicant for Crescent Hills Phase 2. He provided background information on the project. Commerce was a family company in the real estate business for about 50 years in Portland. They purchased the property, which was now Office Park Meadow, in 1969 and had been building it out ever since. This project represented the last one they would be doing on that property. There were a few other undeveloped lots, but AAA owned a couple of those; Jesuit High School planned to build a softball field on the remaining undeveloped lot. They had strong success with the first phase, which was very well received. This would be managed as a single project when they were done. The club house in Phase 1 would have the manager and leasing office there and the maintenance crew that works on Phase 1 will also work on Phase 2. He concluded and then introduced Mr. Robert Leeb, the architect to give the presentation on the design elements of the architectural features of the project.

ROBERT LEEB 71 SW Oak St., Portland, 97204, noted the strongest feature of the site was the curve of the street, supported by the trees and they had lined the drive with the existing project across the street to create a strong tie between the two. The buildings were the same scale as the existing. They were being sided with Hardi Plank siding. For a relief they were using Hardi Plank that had been scalloped like a shingle. The corner boards will be painted with the colors on the color sample. They requested some flexibility of the retaining wall along the creek with a 3 to 1 normal slope and a 2-1/2 foot drop, along about 6 to 7 feet on the grading toward the north in just a couple of those places. The buildings would be set down a little bit from the road because the grade steps down toward the creek. There is a rock retaining wall which would vary in height from about 30 inches to nothing as the grades catch up to it on both the east and west ends. They tied the units to the walk on the south side of the street, however, because of the grade change they were proposing that they not do that there, but have the strong visual connection between the buildings and the street. It helped to create a surveillance of the street and a visual tie. They were pleased with the quality of the first phase and planned to continue that.

Mr. Straus had a couple of questions related to the exterior siding. The Hardi Plank that was to be used as scalloped was not represented on the drawings. Mr. Lee responded that they show up in the bay portions and pointed this out on an exhibit. Mr. Straus then asked if these were the same colors that were used on the original project? Mr. Leeb answered yes. Mr. Straus' final question was something that he did not have much jurisdiction over, but it looked like the third story units were accessible only through a doorway and a stair from the street. Mr. Leeb said they were proposing three stories with two exits, the second exit in a stairwell opposite the open stair, it is an enclosed stairway that comes down from the third floor.

Mr. Lemon wanted to clarify about the retaining wall. He said that the Mr. Leeb and staff had worked out an agreement that if it became more agreeable between staff and the applicant that the retaining wall would be eliminated and replaced with the grading situation. The landscaping drawings showed some wild grass of some sort being planted in those areas. If the retaining walls stayed, what type would they be, keystone or concrete? Mr. Leeb said they would be concrete. Mr. Lemon asked if it was poured base concrete. Mr. Leeb said that was why they were trying to soften it. Mr. Lemon viewed it as the retaining wall continued across the front of the asphalt, especially on the northeast one. Mr. McIver replied that the civil engineer prepared a shaded area of the 3 to 1 slope, which gave the idea of the grade. He gave Mr. Lemon another drawing.

Mr. Lemon said he was trying to clarify it so that when they read the minutes and when it came time to do a final inspection it would be clear. He asked if Mr. Cooper wanted the retaining wall to still be required? Mr. Cooper wanted a condition that simply states the applicant may replace the retaining walls between the garage and parking area and Beaverton Creek with grading not to exceed a 3 to 1 slope for not more than 10 feet. He felt that would put them in to that rise run perimeter that Mr. Leeb talked about and provided the flexibility for the staff to say no, that does not work. Mr. Lemon went on, saying that if for some reason or another, the grading situation does not work, when they get to the retaining wall as the applicant pointed out, what would the materials be? Mr. McIver responded that they would continue the poured-in-place concrete that forms the foundation to the garage around the north end of the parking area.

Mr. Lemon then asked if it would be the same scenario on the west side and Mr. McIver said yes. He had talked to Mr. Cooper about this a couple of weeks ago and what they wanted was to have the flexibility to either grade it, or put in the retaining wall when they come to the actual point of construction. They had some difficulties with retaining walls in the first phase because the grades at actual construction turned out to work differently than what they had thought originally. They had gotten in to a lengthy review process. The only thing he would ask the staff to put in their specifications was to give them 15 feet to work with instead of 10 feet so they would have enough flexibility to meet the grade.

Chairman Williams asked whether or not the storm lines around the buildings, carports, buildings and garages were actually connected from the downspouts? One of the applicant's representatives responded that there is one connection to each of the buildings. Chairman Williams asked that the record reflect that statement.

Chairman Williams wanted to confirm that there was just one carport. Mr. Leeb stated there were alternate carports and showed an exhibit with garages. Chairman Williams noted the

carport elevations were on sheet A 1.2, 10 inch flat plate and had florescent lights just sticking down. The applicant stated they had used baffles in the past with fairly specific watts per square foot. The Phase 2 lighting proposal was based on photometric patterns measured in Phase 1.

Mr. McIver said they wanted to make sure, from a management standpoint, that they had adequate light in the parking area. It was a security concern for them and he was pretty sure they did not have those baffles in Phase 1. They had been through Phase 1 at night several times and the lighting to him seemed pretty reasonable. He would be concerned that if they put a baffle in, it would substantially reduce that lighting and it would be too dark around the carports. He respectfully asked for the Board's flexibility to take a look at it again to make sure that the light was going to meet their management goals.

Mr. Leeb said the fluorescents were mounted in the inside face of the channel and there was a natural cut off toward the units because of the channel and the light was thrown basically out toward the main carport and parking area. Chairman Williams said he had not seen detail #3 and that was fine.

Mr. Lemon asked about the wall along Apple Way. He got the impression it was a rock wall situation, was that one man, two man rocks? Mr. Leeb said yes. Mr. Lemon commented that what they had was the step down, lower grade was on the apartment side of the wall and the wall is approximately a little over a foot above the landscaped side of the sidewalk side. He then asked if they had that situation in Phase 1? He went on, saying that on the drawing there was a space between the sidewalk and the wall and that another drawing indicates the sidewalk is right along the wall. Mr. Leeb confirmed there was a planting surface there. Mr. Lemon asked if there were some sort of railing to prevent people from falling off it at two in the morning after they had been partying too much. He asked if that had ever come up? He did not want the railing there, he liked the wall better than concrete. Mr. Leeb felt a fence or rail would be more of an issue.

Chairman Williams commented that there were shrubs there to wake them up if they stepped into it. He then asked if there were any further questions for the applicant. Seeing none he noted that there were no cards for public testimony. He asked Mr. Cooper if he had any other items from staff.

Mr. Cooper told Mr. Lemon that staff realize that the wall was close to the sidewalk, the planting space was about four feet, its highest point was 30 inches and the height diminishes fairly rapidly around the curve to match the grade and they felt it was a safe, and would concur with the applicant that a fence or rail was a diminished design element.

Mr. Cooper added that the applicant had asked for 15 feet, he was happy to revise that, but he went on record as indicating that all grading will be reviewed again with regard to site development permit and USA standards. He was going on record as telling the applicant that at the public hearing, the 15 feet is fine. Any grading back at 15 feet would not encroach into the wetlands. Mr. Lemon said he sort of split the difference and see what happens to give Mr. Cooper a little flexibility and give the applicant more space to work with.

Mr. Lemon MOVED and Mr. Beighley SECONDED a motion for approval of VAR99-00022, CRESCENT HILL APARTMENTS, based upon the testimony, reports and exhibits

presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated December 9, 1999, with no conditions of approval.

The question was called and the motion CARRIED unanimously.

Mr. Lemon MOVED and Mr. Straus SECONDED a motion for approval of BDR99-000172, CRESCENT HILL APARTMENTS, based upon the testimony, reports and exhibits presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated December 9, 1999 including conditions #1 through 20 with the additional condition #21 to read:

21. The retaining walls at the northeast and northwest parking lots may be replaced, if approved of by staff, by revising the grade of the existing slope to a not-to-exceed slope of 3 to 1. The revised slope shall not exceed 12 feet from the edge of the asphalt or face of the garage building and be no longer than the proposed retaining walls. Should the retaining walls remain, they should be constructed of cast-in-place concrete walls with a sack finish on the exposed surfaces as described in the ACI.

The question was called and the motion CARRIED unanimously.

B. BDR99-00171 - ZUKA JUICE AT BEAVERTON MALL

Request for Design Review approval to construct a 1,760 square foot retail building at the north end of Beaverton Mall, near the intersection of SW Jenkins Road and SW Cedar Hills Boulevard. The proposed site at the mall is south of SW Jenkins Road, and between the existing Subway sandwich shop and the Bank of the West. This proposal includes the demolition of an existing drive-through banking facility. In addition to the new retail building, the proposal includes new parking and new landscaping. The site is within the Commercial Service zone. The site is located at the north end of Beaverton Mall, closest to Jenkins Road, and is approximately 36.23 acres in size. Map 1S1-09, Tax Lot 200.

Mr. Cooper, Associate Planner, presented the Staff Report for Zuka Juice at Beaverton Mall. The proposal was for a 1,760 square foot retail stand-alone building at the Beaverton Mall, and is zoned community service. The site is fully contained within the Beaverton Mall area and would in fact replace an existing structure that is a drive in for an old bank that is currently vacant. The proposed structure is allowed within the zone and there would be some improvements made for the circulation on the site. The parking provided exceeds the required amount. There was no public comment at all from surrounding land owners or anyone else who were sent notices. The only issues raised by staff related to one of the elevations that suggested potentially additional awnings or glazing and the applicant responded with the suggestion that they plant landscaping. Staff has accepted that and they were recommending approval with no specific conditions outside the normal conditions of the Board. He said the building materials would be a CMU building with a skin coat terra cotta, stucco exterior finish and fairly standard anodized aluminum store front system. He presented the color board for materials review.

APPLICANT:

WALKER JOHN, with C.E. John Company and **RYAN HAINES**, Architect, represented the applicant.

Mr. John said that the proposed building was for Zuka Juice, a current tenant in another location, who found they needed more space. The intent of this proposal is to try to match the two other pad buildings with similar colors and schemes. They had added more pedestrian circulation. He showed the exhibit of the layout. They had added more landscaping, carports and awnings.

Mr. Haines said that the landscaping Mr. Cooper was referring to, which was conditioned as part of the facility review, were the trees which buffer the east elevation. The landscaping was increased by quite a bit, with more ground covering and shrubs, resulting in a much better solution to that space. They had awnings over the store front area to enhance the appearance of the elevations. It is a CMU building, a composition of 6 inch CMU and 8 inch CMU. It broke up the building face and added detailing. The base was a poured-in-place concrete with horizontal reveals half round character about 3/4 of an inch high to break up that face as well. The building then steps back slightly to the face of the CMU which was covered by the synthetic stucco. He showed the colors. The store front was clear glass with a clear anodized store front. There were some wall sconces which were custom designed, essentially just washing the face. They were not meant to light the parking lot or anything like that. The site lighting is taken care of with existing light poles. They were relocating one light pole approximately 6 feet to get it out of the building line.

Chairman Williams asked if the trash enclosure on Jenkins Road was existing? Mr. Haines answered yes, that it was a shared trash bin.

In response to Mr. Beighley's question, Mr. Haines stated Zuka Juice was blended juice and that this position was a better one for the store.

Chairman Williams commented on the nice subtle color selection and asked if there were any further questions. Seeing none, he asked for further comments from staff. There were none and there were no requests from the public.

Mr. Lemon MOVED and Mr. Straus SECONDED a motion for approval of BDR99-00171, ZUKA JUICE AT BEAVERTON MALL, based upon the testimony, reports and exhibits presented during the public hearing on the matter and on the public background facts, findings and conclusions found in the Staff Report dated December 9, 1999 including conditions #1 through #19 with the additional condition of #20 to read:

20. The cast-in-place concrete base shall have three one-half horizontal round reveals cast interally and spaced equally in the concrete.

The question was called and the motion CARRIED unanimously.

APPROVAL OF MEETING MINUTES

Mr. Beighley MOVED and Mr. Lemon SECONDED a motion for approval of the September 9, 1999, minutes.

The question was called and the motion CARRIED with three votes in favor and Mr. Straus abstained.

Mr. Lemon **MOVED** and Mr. Beighley **SECONDED** a motion for approval of the October 14, 1999, minutes.

The question was called and the motion **CARRIED** with three votes in favor and Mr. Straus abstained.

The meeting **ADJOURNED** at 8:20 p.m.